

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

SETH FISHMAN,

Defendant and  
Judgment Debtor,

and

ALEXANDER CAPITAL, LP,

Respondent.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/1/23

No. 20 CR 160-7 (MKV)

PUBLIC FILING

**ANSWER OF THE RESPONDENT**

I, Michele Misiti, the Chief Compliance Officer of the Respondent  
(name) (title)

Alexander Capital, L.P., state under penalty of perjury as follows:

RESPONDENT IS (choose one):

- ☐ An individual doing business in the name of \_\_\_\_\_  
☒ A partnership, ☒ LP, ☐ LLP or ☐ LLC  
☐ A corporation, organized under the laws of the State of \_\_\_\_\_

I acknowledge receipt of the United States' request that Respondent waive service of a NYCPLR 5222 Restraining Notice and a NYCPLR 5224 Information Subpoena under Rules 4-4.1 of the Federal Rules of Civil Procedure in this proceeding. Without waiving defenses or objections to the garnishment or to the jurisdiction or venue of the court except for objections based on a defect in the service of the process, I agreed to accept service for the Respondent by:

- ☐ facsimile at ( ) \_\_\_\_\_ and/or  
☒ e-mail at [REDACTED] \_\_\_\_\_ and/or  
☐ first class mail at \_\_\_\_\_

RECEIVED  
JAN 30 2022

On January 12, 2023, Respondent received a NYCPLR 5222 Restraining Notice and a NYCPLR 5224 Information Subpoena. At the time of service, Respondent had in its possession or control, the following property of the judgment debtor:

**1. Financial Accounts**

**Account 1**

Type: Individual  
 No.: 3300  
 Title owner(s): Dr. Seth Fishman  
 Amount: \$ 1,731.68

**Account 2**

Type: \_\_\_\_\_  
 No.: \_\_\_\_\_  
 Title owner(s): \_\_\_\_\_  
 Amount: \$ \_\_\_\_\_

**Account 3**

Type: \_\_\_\_\_  
 No.: \_\_\_\_\_  
 Title owner(s): \_\_\_\_\_  
 Amount: \$ \_\_\_\_\_

**Account 4**

Type: \_\_\_\_\_  
 No.: \_\_\_\_\_  
 Title owner(s): \_\_\_\_\_  
 Amount: \$ \_\_\_\_\_

**2. Safety Deposit Box**

Box No.: None. N/A  
 Last accessed: \_\_\_\_\_  
 Owners other than the judgment debtor:  
 \_\_\_\_\_  
 \_\_\_\_\_

**3. Detail other personal property in the respondent's possession, custody, or control:**

None. N/A

**4. Are there prior garnishments or other court-ordered withholdings which are presently in effect including, but not limited to child support and alimony?**

[ ] Yes or ☒ No; if the answer is yes, describe below (case number, state, county):

**5. Does the respondent have custody, control or possession of any property, other than accounts, safety deposit boxes or other personal property, now owed or to be paid in the future, in which the judgment debtor has an interest? ☒ Yes or [ ] No**  
 If the answer is yes, describe below:

Private Placements in Alexander Capital Ventures, LLC. Investment list attached.

**IF RESPONDENT DENIES HOLDING PROPERTY SUBJECT TO RESTRAINT:**

**6. Check and complete the applicable line below:**

☐ Respondent has the following objections, defenses, or set-offs:

\_\_\_\_\_  
\_\_\_\_\_

☐ On the date the respondent was served with the notice, the respondent was not indebted or under liability to the defendant, and/or did not have in its possession or control any assets, income or other property in which the judgment debtor has an interest.

RESPONDENT mailed a copy of this Answer by first-class mail to:

- (1) the judgment debtor, \_\_\_\_\_, at \_\_\_\_\_;
- ✓ (2) the Clerk of Court, United States District Courthouse, 500 Pearl Street, New York, NY 10007, Attn: Arraignment Unit, Rm 520; AND
- ✓ (3) Financial Litigation Unit, USAO, 86 Chambers Street, Third Floor, New York, NY 10007.

Pursuant to 28 U.S.C. § 1746, I verify under penalty of perjury that the foregoing is true and correct.

Executed this 17 day of January, 2023.

(Signature)

Michele Misiti

(Print Name)

Title Cheif Compliance Officer

Address 17 State Street, 5th Floor

City, State, Zip New York, NY 10004

Telephone and Fax Numbers \_\_\_\_\_

Email \_\_\_\_\_

STATE OF New York

COUNTY OF Richmond

Subscribed and sworn to before me this 17<sup>th</sup> day of January, 2023.

Notary Public Signature

My Commission expires: 9.25.25

(Seal)

EDWARD MORREALE  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01MO6062694  
Qualified in Richmond County  
Commission Expires September 25, 2025

Seth Fishman Interest in Alexander Capital Ventures, LLC

- Alexander Capital Ventures, LLC – Series BETA-1 – Amount invested \$50,000.
- Alexander Capital Ventures, LLC – Series DELTA-1 – Amount invested \$75,000.
- Alexander Capital Ventures, LLC – Series EPSILON-1 – Amount invested \$25,000.
- Alexander Capital Ventures, LLC – Series Y-1 – Amount invested \$30,000.